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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/070,489   | 09/17/2002  | Travis Robert Glare  | 24747-1104US        | 6955             |
| 35489  | 7590        | 08/12/2005           | EXAMINER            |                  |
| HELLER EHRLAN LLP<br>275 MIDDLEFIELD ROAD<br>MENLO PARK, CA 94025-3506 |             |                      | KUBELIK, ANNE R     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1638                |                  |

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
|---------------------------------|-------------|---|---------------------|

EXAMINER

ART UNIT      PAPER

805

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Commissioner for Patents

The reply filed on 2 June 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Sequence identifiers for SepA, TcdA and TcbA are missing from the Brief Description of Figure 4, and a sequence identifier for TccC is missing from the Brief Description of Figure 5. Thus, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne R. Kubelik, whose telephone number is (571) 272-0801. The examiner can normally be reached Monday through Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached at (571) 272-0804. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Customer Service at (703) 308-0198.

ANNE KUBELIK, PH.D.  
PRIMARY EXAMINER

S.00